

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

09/077,029 05/18/98 KIMURA

M JA040499

MMC2/0920

OLIFF & BERRIDGE  
PO BOX 19928  
ALEXANDRIA VA 22320

EXAMINER

MALINOWSKI, W

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2871

DATE MAILED:

09/20/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

|                              |                               |                  |
|------------------------------|-------------------------------|------------------|
| <b>Office Action Summary</b> | Application No.               | Applicant(s)     |
|                              | 09/077,029                    | KIMURA ET AL.    |
|                              | Examiner<br>Walter Malinowski | Art Unit<br>2871 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

#### Status

1) Responsive to communication(s) filed on 14 July 2000.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-49 is/are pending in the application.

4a) Of the above claim(s) 20-31 and 33-46 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-19, 32, and 47-49 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some \* c) None of the CERTIFIED copies of the priority documents have been:

1. received.

2. received in Application No. (Series Code / Serial Number) \_\_\_\_\_.

3. received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

#### Attachment(s)

15) Notice of References Cited (PTO-892)                    18) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

16) Notice of Draftsperson's Patent Drawing Review (PTO-948)                    19) Notice of Informal Patent Application (PTO-152)

17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 and 5.                    20) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Election/Restrictions***

Consideration of the non elected claims would present a serious burden to the examiner. This restriction requirement is made final.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Japanese kokai no. 6-308312, Yaniv, U.S. Patent No. 5,281,450, Kim, U.S. Patent No. 5,274,481, or Akins, U.S. Patent No. 5,399,390.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-19, 32, 49/7, 49/8, 49/11, and 49/13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese kokai no. 6-308312, Yaniv, U.S.

Patent No. 5,281,450, Kim, U.S. Patent No. 5,274,481, or Akins, U.S. Patent No. 5,399,390, as applied to Claims 1-4 above.

Japanese kokai no. 6-308312, Yaniv, Kim, and Akins disclose liquid crystal displays having projections between which is placed liquid optical material, but do not disclose that the projections are bus lines.

Bus lines form projections. It is well known to use projections for containment in the liquid crystal display art.

Because bus lines form projections, it would have been obvious to use them in placing liquid optical material in the devices of Japanese kokai no. 6-308312, Yaniv, Kim, or Akins.

Claims 48/2, 48/3, 48/5-48/10, and 48/12-48-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim, U.S. Patent No. 5,274,481, or Akins, U.S. Patent No. 5,399,390, as applied to Claims 1-19 and 32.

Kim and Akins disclose a liquid crystal display with liquid crystal material as the optical material between the projections.

Claims 47/2-47/19 and 47/32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese kokai no. 6-308312, or Yaniv, U.S. Patent No. 5,281,450, in view of Wetsel, Jr., U.S. Patent No. 4,007,462.

Japanese kokai no. 6-308312, or Yaniv, U.S. Patent No. 5,281,450, disclose liquid crystal display with optical material which is a color filter, but do not disclose the color filter is fluorescent.

Wetsel discloses fluorescent material.

Fluorescent material is used to enhance the image quality.

Therefore, it would have been obvious to use fluorescent material, as taught by Wetsel, in the device of either Japanese kokai no. 6-308312, or Yaniv, U.S. Patent No. 5,281,450.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter Malinowski whose telephone number is (703) 308-3172. The examiner can normally be reached on M-F 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Sikes can be reached on (703) 308-4842. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7721 for regular communications and (703) 308-7721 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

*Walter Malinowski*  
**Walter J. Malinowski**  
**Primary Examiner**  
**Technology Center 2800**

wjm  
September 18, 2000